

Minutes
State Election Commission Meeting
August 17, 2010

The State Election Commission meeting was called to order by Chairman Tom DuBois at 11:10 a.m. central time, August 17, 2010. The following members and staff were present: Commissioners Blackburn, DuBois, Head, Wallace, and Younce, Assistant Coordinator of Elections Beth Henry - Robertson, Wayne Pruett, HAVA Coordinator and Kathy Summers, Elections Specialist.

Motion was made, seconded and unanimously approved to adopt the minutes from the regularly scheduled meeting held on July 20, 2010.

Pursuant to T.C.A. § § 2-12-101 and 2-12-106, motion was made, seconded and unanimously approved to accept the nominations for county election commission appointments as submitted and to leave the nomination process open until close of business, 4:30 p.m. central time, Tuesday, August 17, 2010. **(No appointments were made.)**

Old Business

- No old business was discussed

New Business

- No new business was discussed

Coordinator Update – Given by Assistant Coordinator of Elections Beth – Henry Robertson

- **Cumberland County** – Concerns arose out of the process of challenging a voter during early voting. (Complaint in meeting folder attached to minutes.)
- **McMinn County** – Complaints by voters were received concerning activities outside of the one hundred foot boundary. (Complaint in meeting folder attached to minutes.)
- **Shelby County** – A letter was received from Rep. Hardaway regarding the programming of electronic poll books used by the Shelby County Election Commission on Election Day. (Complaint in meeting folder attached to minutes.) Assistant Coordinator of Elections Beth Henry – Robertson advised members that Coordinator Goins and HAVA Coordinator Wayne Pruett were going to be in Shelby County on Friday, August 20, 2010, to meet with the Administrator of Election and staff to review records and procedures used when setting up the poll books for the August 5, 2010, State Primary and County General Election.
- **Candidate request to change name – Richard B. Womick, (R) TN House of Representatives – 34th District** - requested the State Election Commission to allow him to change his name from Richard B. Womick to Rick Womick for the November General Election.

After discussing the request, noting how Mr. Womick's name appeared on the August 5, 2010 primary ballot, examining his name on the voter registration records and the petition he signed, a motion was made to keep Mr. Womick's name on the ballot as Richard B. Womick, motion was seconded and unanimously approved.

- **Rutherford County** – Rutherford County Election Commission failed to be open a minimum of three (3) hours on the first Saturday during early voting.

After discussion, the State Election Commissioners requested that the Coordinator's office have Rutherford County Administrator of Elections and any county election commissioners who would like to attend the meeting, to appear before the SEC at their next regularly scheduled meeting to discuss early voting dates and times used for the August 5, 2010, State Primary and County General Election.

- **Hawkins County** – Hawkins County Election Commission failed to be open a minimum of three (3) hours on the first Saturday during early voting.

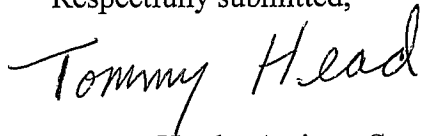
After discussion, the State Election Commissioners requested that the Coordinator's office have Hawkins County Administrator of Elections and any county election commissioners who would like to attend the meeting, to appear before the SEC at their next regularly scheduled meeting to discuss early voting dates and times used for the August 5, 2010, State Primary and County General Election.

Representative G. A. Hardaway – Rep. Hardaway entered the meeting and was given the floor to discuss his letter sent to the State Election Commission regarding Shelby County and the problems they had with their electronic poll books.

The next regularly scheduled meeting will be September 21, 2010.

Motion was made to adjourn, and there being no further business to come before the commission at this time, the meeting was adjourned.

Respectfully submitted,



Tommy Head – Acting - Secretary
State Election Commission

Vacant Status

17-Aug-10

Hamilton

D Tom Wheeler
R Judy Blackburn

R

Monroe

D Tom Wheeler
R Judy Blackburn

R

Total Vacancies: 2

Kathy Summers - Fwd: Re: Problems with early voting in McMinn County, photographic evidence

From: Cara Harr
To: Summers, Kathy
Date: 8/11/2010 12:49 PM
Subject: Fwd: Re: Problems with early voting in McMinn County, photographic evidence

To include with complaint for SEC.

>>> Anita Dotson <dotsonanita@bellsouth.net> 7/27/2010 8:43 PM >>>
 Dear Ms. Harr,

Thank you for your prompt reply. I most certainly appreciate your willingness to present this issue at the next State Election Commission meeting on August 17, 2010 in Nashville.

I understand that Administrator Williams does not have the authority to change the 100 foot barrier or move items placed in the parking lot by candidates. I have already viewed the Tennessee Code Annotated 2-7-111, but this particular law favors counties in which metro government is in place, or there is a larger population. In such cases, it is within the law to expand the campaign-free zone. Can you please explain to me why this is not the case for all counties within our State? How may I personally find out how that law came into being and how it passed?

My major complaint is about the level of this activity in the parking area. In previous years the situation has grown to include generators, fans, open gas containers left unattended...the list goes on and on. I am concerned for the public safety of all individuals. I am also concerned about intimidation being used by the placement of the tents. I do not wish to fight through them in order to reach the polls. In years past a candidate stood aside without the use of brightly colored tents, etc. and might offer you a pencil or card. Personally I never took such items, even if I was indeed going to vote for that particular candidate.

Perhaps there is a divide in what I expect, and certainly what my Mother expects, when we go to vote. She and I both wish to have a dignified atmosphere. One particular candidate even told voters on his Facebook page to 'join the circus' down at the Courthouse Annex. I realize there are different styles for each person, but I firmly believe that in this country the act of voting is not a 'circus'.

I was not targeting any particular candidate or supporter when I took the photographs. The photographs merely serve to show the scope of the parking area and how much space is being taken up. I am frankly ashamed of the candidates of my choice doing the same thing, but I assume they felt compelled to conduct further campaigning as the other candidates were doing. At this point I have not approached any candidate personally on this issue as I fear some type of retaliation, even from those candidates that I support.

My Mother, Barbara, is now 81 years of age. It was a major accomplishment for her to look up the original email address, along with that belonging to Administrator Williams and email her views. While I have shown her how to email family and friends, she is not what I would call completely experienced in computer usage. She is an intelligent and resourceful woman, and I have the search engine "Google" placed on our browsers. She 'googled' in order to obtain the email addresses and I was quite impressed. But she did this because she was quite angry about this situation.

She has come into the room and informed me that she is now not sure if she even wants to go vote tomorrow.

She read your email and thinks your use of "accessibility" and "free from the taint of intimidation" do not apply in the situation here in McMinn County. She expressed her feelings like this, "Early voting was originally just for senior citizens but now it is for everyone and what happens to us?" She told me that she never saw this take place at the voting polls she visited while living in Cleveland, TN (Bradley County) and she lived there for over 50 years.

I am quite upset about her change of attitude toward the voting process, and I have managed to arrange some extra time off for lunch so that I may take her personally to the Courthouse Annex. She has only missed voting once since she became of voting age, and that was in the previous county-wide primary in McMinn County. She had a severe case of the shingles at that time, and is actually still in recovery. It was a miracle I was even able to get away to vote myself. I certainly did not think about absentee voting, or requesting a paper ballot be mailed at that time. My mind was full of concern for her and her health. Since my brother and father have passed away I am the only relative in this household to care for her. At that time I was out of work so I was able to care for her. The position I have now is only temporary and it was a major hassle to arrange to get 30 extra minutes of free time to add to my 30 minute regular lunch session.

It could be that in the future I may have to have her write her own letter in order to request the paper ballot be mailed to her so she may vote and then mail the ballot back to the local Elections office. In fact, I may do the same. If you will read what I originally wrote you will know that I research the candidates ahead of time and have my mind made up before I go to the polls. I realize others may not follow this common sense approach or have not been able to attend other functions in which candidates have been accessible. I can see both sides, but I do still formally request that all counties be given the same freedom to expand the 100 foot campaign free zone, and also to limit the number of parking spaces a candidate and their supporters can use outside the zone.

Perhaps this is a sign of the times and now everything is considered a great big party. But we do not feel the urge to join in this 'party atmosphere', nor walk past numerous tents for the same candidate and see their wives, children, and even babies in the weather we are experiencing right now.

I doubt you will hear back from my Mother personally. She is quite upset about this. Yes, she is 81 years of age, but she has a good mind and stays on top of the issues. I know her recovery from the shingles has been rather drawn out and we will probably face another year until she is (hopefully) free of symptoms. She might be a bit more on edge because of her health situation, and I might be a bit more on edge because she is my Mother. Naturally I will fight to do what I think is right. She does have a point about the senior citizens and early voting, although I have found it to be a wonderful convenience. But the convenience factor is simply not in evidence at the McMinn County Courthouse Annex. The candidates need to tone it down and limit the number of signs and parking spaces being taken up by tents, and sign trailers. They need to have some respect for the voting public, otherwise how can I have respect for them?

I will be looking forward to any developments from the State Election Commission meeting which takes place in August of this year.

Thank you for your patience and understanding in this matter.

Sincerely,

Anita Dotson
1821 Crestwood Rd
Athens, TN 37303

Cara Harr wrote:

Ms. Dotson,

I received your email from Secretary Tre Hargett. I have spoken to Kris Williams, administrator in

McMinn County, regarding this issue and reviewed the photographs submitted. At the next State Election Commission meeting, your complaint will be presented to the commission. However, I wanted to respond to your complaint in the same manner that I responded to your mother, Barbara Dotson's, complaint.

While I understand the parking situation in McMinn County, the election commission office has no authority to expand the campaign-free zone. The campaign-free boundary is set by statute at 100 feet by Tennessee Code Annotated 2-7-111. The courts have held that there is a balance between one's freedom of speech -- campaigning -- and one's right to cast a ballot in an election free from the taint of intimidation and fraud. Courts have said the boundary may be no more than 100 feet from the entrances of the polling location.

In speaking with Ms. Williams, the spaces where the tents and signs are set up were not "reserved" for them. The candidates and those campaigning for those candidates choose where to stand outside the 100-foot boundary. It is my understanding, from Ms. Williams, that the candidates began placing those tents, signs and trucks in the parking area prior to the first day of early voting. Ms. Williams does not have the authority to remove those individuals, signs, tents, or trucks from the area. Ms. Williams would actually be in violation of the 100-foot statute if she did remove those items because the courts have held that campaign material is permitted outside the boundary.

I believe that there are four (4) parking spaces for those with disabilities, as well as six (6) additional parking spaces within the 100-foot boundary. Certainly, you should not have to have a tag in order to vote, but every polling place must be accessible, and, therefore a certain number of parking spaces must be accessible. Another issue mentioned is that the signs and trucks are causing a safety hazard for those driving. If the police determine those vehicles to be a safety hazard, they might have the authority to remove them.

Realize, the courts have determined that the balance between the voter's right to cast a ballot free of intimidation and fraud and the candidate's right to free speech is at the 100-foot boundary. Therefore, neither Ms. Williams, nor the State Election Commission has the authority to stop the activities outside the 100-foot boundary at the early voting site.

Cara E. Harr
HAVA Attorney
Division of Elections
William R. Snodgrass
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Nashville, TN 37243

(615)741-7956
email: Cara.Harr@tn.gov

>>> Anita Dotson <dotsonanita@bellsouth.net> 7/23/2010 6:31 PM >>>
Dear State Commission of Elections,

I am filing a formal complaint about the concerns I have in how candidates and their supporters conduct themselves and create chaos at the early voting location in McMinn County, Tennessee.

During the previous county-wide early voting period this area (McMinn County Courthouse Annex) was plastered with signs, along with one complete row of the parking area filled with pick-up

trucks with huge campaign signs sitting upright in the truck bed. These signs made it difficult to see properly when turning out of the parking area. At that time I almost sent in a letter to the editor of the local newspaper, but my mother was very ill at the time and I honestly didn't have time to do it.

Early voting (state-wide primary) started last Friday in this county. Even before early voting began the trucks were parked again along the side row, blocking motorists' view. As the date approached, even more signs appeared. In my estimation I would think that there are at least 200 signs in this one area, double what was around during the county-wide primary.

Personally I have only spoken to a candidate once at a voting location during my entire voting lifetime, and I am now aged 51. I have strived to vote in every election that I possibly could, even going as far as to do absentee voting during my college years. (that was before the law was passed and those other than senior citizens could vote early) I do my homework on each candidate, reading local newspapers, attending local community forums for various candidates, and 'meet and greet' opportunities sponsored by the candidates themselves. During this past county-wide primary I even ended up at the County Finance Office in order to do research to confirm a candidate's claims in a political flyer. I discovered that this candidate's claims were false and although we communicated via email after I got the 'goods' and gave him the actual numbers he did not convince me as to why he stated what he did in the flyer. I had planned to vote for him but after careful consideration, and info from the Finance Office, I changed my mind.

I do not take the privilege of voting lightly. It is a serious and important decision and should be conducted in a dignified manner. Such is not the case in this county. Please take the time to view these photos that I myself took today around 1 pm. I ended up taking my 30 minute lunch time to take these photos because my Mother had called and had complained about not being able to find parking space nearby. She also wrote to you and the local Elections Commissioner. She is correct in that there have been two complaints about this situation in the local newspaper, Daily Post Athenian, on Tuesday, July 20, Early voting started on the 16th.

I hope you can tell what is going on in these photos. If you wish to have larger images I will gladly supply them, but I didn't want to overload your email server. I have several notes so please take the time to read what is listed.

This first photo was taken from my car in the parking spot that was the only one I found that was 'relatively close' to the front entrance of the Court House Annex. Yes, perhaps I would be able to make it to the door, but for an elderly person or a handicapped person in this 100 degree heat.....NO, they would not be able to do it. (there are very limited handicapped spaces in my opinion at this location)



IMG_1316

This photo was taken after I parked across the street in a small shopping area. Please note the tents, multiple signs, and 'lift-truck' that is being used and taking up valuable parking space. Although this is supposedly 'within the law' of the footage requirement as to how close a candidate, campaigner, etc can be at the main entrance.



IMG_1327

This just shows how close all this is to the main entrance. A truly 'carnival type' atmosphere.....



IMG_1319

More tents and yet another pick-up truck with a huge sign. Perhaps this truck owner was actually inside voting, but then again maybe he/she was not and only taking up valuable parking space.



IMG_1332

Just looks like the neighbors having an outdoor picnic, along with their baby and a few hundred political signs. I personally would not have had my child out in this heat!



IMG_1322

One car attempting to locate a parking space. I wished this person good luck.....



IMG_1326

By this time a few spaces had opened up, but it was nearly 1:30 pm by now and very hot. I know my 81 year old Mother would not be coming by at this time of the day to vote.



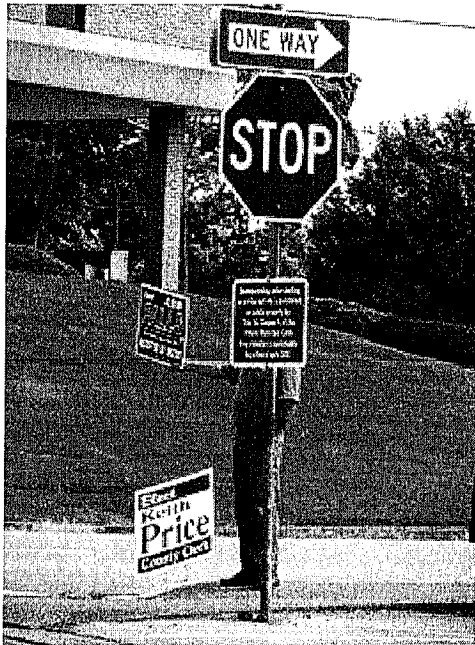
IMG_1330

Yet another tent and more signs.



IMG_1331

This person actually hid his face behind the stop sign when he saw that I was taking photos!!! I thought that was sort of odd because everyone who drove by got to see who he is.



IMG_1333

This is the row of trucks, on the left side of the main parking area, an entire row of parking spaces taken up by trucks with signs. Can this be legal? I was particularly concerned about the parking situation during early voting for the county primary because I was also serving jury duty and this is the main parking lot for jurors. Thankfully I did not have to come in during the early voting, otherwise I would have had to park in an illegal spot, or park in a two-hour zone and then get a ticket.



IMG_1323

This should really be against the law. There are personal businesses that share this parking lot with the Court House Annex. So their business parking is being effected as well. If I owned a business there I would be very unhappy to have NO parking for my customers, especially in these hard economic times.



IMG_1334

Just another 'beer party' it seems here.....



IMG_1321

I hope you have gotten to the end of this complaint. I am quite ashamed of the fact that several of the candidates I plan to vote for are guilty of taking up valuable parking space. I took more photos but have sent you the ones that I felt showed the most. Perhaps you do not think this is a problem and will just say, go vote during the regular election on Aug. 5. But what if the parking is even worse there? What if your regular voting location is even farther away and more complicated to get to than the Annex? I agree with my Mother that there should be a mobile voting truck that can be set up at different locations where these signs and tents cannot be placed. At least in Bradley county I did have the opportunity to vote at one of those and it was a good experience. Plenty of good parking, a dignified atmosphere, no signs obscuring my view, no campaigners or candidates under tents looking like 'partying fools'.

When I go to vote, I have already made up my mind as to whom I will vote for. I don't need to ask the candidate anything because I have done my work ahead of time. I don't feel compelled to pat the back of a fellow campaign person, or hold up a silly sign at the roadway. Maybe there are some who like the casual 'cheapness' of it all, but I do not.

My formal request is that tents and vehicles containing large signs be removed from the full parking area of any voting location. Signs should be limited in size and number. The 'political free zone' should be expanded to include the entire parking area with the exception of an 8 foot 'border' in which candidates can stand and meet and greet if they wish, but do away with the tents. That looks so cheap and tawdry.

Thank you for your time and attention in this matter.

Anita L. Dotson

1821 Crestwood Rd
Athens, TN 37303

Kathy Summers - Fwd: Sharon York, Cumb. Co. Administrator

From: Cara Harr
To: Goins, Mark; Summers, Kathy
Date: 8/11/2010 10:41 AM
Subject: Fwd: Sharon York, Cumb. Co. Administrator

Mark and Kathy,

Should I just inform this person that this information will be given to the State Election Commission at the next meeting which is August 17, 2010?

Cara

>>> "Carolyn Hedgecoth" <chedge@frontier.com> 8/8/2010 7:25 AM >>>
To Tennessee State Election Commission Members Judy H. Blackburn, Greg Duckett, Tom Dubois, Tommy Head, Jimmy Wallace, Tom Wheeler, and Kent Younce:

First, let me say that in my 40+ years of voting I've voted 98% for Republican candidates, voting Democrat only occasionally on the county level when I know a candidate is/will serve with our best interest in mind.

My dismay with goings on within the Cumberland County Election Commission arena is indescribable, starting with the immoral, albeit perhaps legal, dismissal of Suzanne Smith as County Administrator. While I realize this is an appointed position, I know Mrs. Smith to have served our county well through both Republican and Democrat administrations and in doing so, she 'left her politics at home'. Then, suddenly, Sharon York is at the helm! What a disgrace! Perhaps the only thing Mrs. York and I have in common is that we're both Republicans. At least I hope that to be the case as I do not wish to be associated with her in any way in order to preserve my reputation.

Fast forward to the recent fiasco of a voter's right to vote her choice being challenged. Another disgrace for Cumberland County! Again, perhaps legal, but grossly immoral. I hope for a complete investigation of the sequence of actions leading up to the challenge, including seizure of phone records, and that the truth then be revealed to the citizenry.

I suspect many of you have already come to second guess, perhaps even regret, your decision to replace Mrs. Smith with Mrs. York. I can state unequivocally that it was a mistake. For the record, I am not 'bosom buddies' with Ms. Smith; I only know that she served our county well and with fairness during her tenure. Already, the same cannot be said for Mrs. York.

Sincerely,
Carolyn Hedgecoth
891 Hamby Rd.
Crab Orchard, TN 37723
931/484-4187

P. S. I ask the recipient of this message to please pass it on to the TN Election Commission Members

Kathy Summers - Re: Sharon York, Cumb. Co. Administrator

From: Cara Harr
To: Hedgecoth, Carolyn
Date: 8/11/2010 11:45 AM
Subject: Re: Sharon York, Cumb. Co. Administrator

Ms. Hedgecoth,

I have forwarded your complaint to Kathy Summers in our office. She will include your complaint in the information given to the State Election Commission at their next meeting.

Cara E. Harr
HAVA Attorney
Division of Elections
William R. Snodgrass
Tennessee Tower, 9th Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243

(615)741-7956
email: Cara.Harr@tn.gov

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Sincerely,
Carolyn Hedgecoth
891 Hamby Rd.
Crab Orchard, TN 37723
931/484-4187

P. S. I ask the recipient of this message to please pass it on the TN Election Commission Members

Kathy Summers - Fwd: Re: parking at Annex for early voting - McMinn County

From: Cara Harr
To: Summers, Kathy
Date: 8/2/2010 10:03 AM
Subject: Fwd: Re: parking at Annex for early voting - McMinn County

Please put this with the complaint for the State Election Commission meeting and update me please about what is said at the meeting so I can touch base with these ladies.

>>> Juanita and lynn Dotson <juanita_and_lynn@yahoo.com> 7/29/2010 2:40 PM >>>

Dear HAVA Attorney Harr,

I am well aware of the law that has been on the books for many years. Having lived in Bradley county for over 50 years I lived and voted in several polling places throughout that time. Never did I see what I have seen here in McMinn county.

My daughter had a job here in Athens and we moved here from Cleveland in 2004. So far I have not been impressed with the local government. She lived her prior to her work in Louisiana and because she was able to work here we made a joint decision to move for two reasons: lessen the commute for her, and move into a home without steps.

Although I am 81 years old (Feb. 21) I can still think for myself, and I can drive to various places. I drive weekly to get my hair done, and occasionally go to the post office, or Walmart. Because my daughter had be some miracle gotten a temporary position for work I decided to take the burden off of her concerning me getting to the polls. In the past we had always gone together, but I did not want to jeopardize her job.

Things did not go according to plan yesterday and I was still undecided on whether or not I wanted to vote for any of those fools

down there. After discussing it with my daughter she convinced me to go vote in person this last time. In the future I will do absentee or get a paper ballot mailed to my home.

Today I did go to vote, but I still had to walk a long way and had to use my asthma inhaler twice on my way back to the car. The weather was cooler but it was still hard for me. My energy level is not the same because I am still recovering from the shingles. My daughter drove me there and offered to let me off at the door, but I refused. I wanted to walk past all those silly fools and let them know that I would not be voting for them. My daughter is appalled at my behavior but I think I am due. These people don't care about me, so why should I try to be polite to them? I only voted for certain offices and left the rest blank as I am no longer supporting several candidates because of their overkill in campaigning technique.

I sincerely hope and pray that my letter, along with what my daughter sent with the photos, will be shown at the next State meeting. I pray also that it is not shoved away for 'lack of time', as I know many things are done that way around here. I know others from the beauty shop that are just as mad as I am and most are aged 60. I guess I am not the oldest one to go there, but I am not the youngest either. Many are afraid to speak up to let their names be known because they are afraid. One person lives next door to a candidate's relatives and said she thought her house might be burned down in the middle of the night if she said anything negative. This makes for an environment of fear among the voters.

Please try to stop the intimidation, and silly antics of the candidates and their supporters. I only voted for two people and that was it. Both of those people were more conservative in their campaign approach and I had investigated their positions on the issues at hand. As for the others they need to grow up and stop acting like little children, both the 'boys and the girls'.

Thanks for finally replying, but it took my daughter sending stuff on to the Secretary of State in order to even get a response out of you people in Nashville. I suppose you think we are all a bunch of hicks over here in East Tennessee, but we are not.

I got my sticker that I voted. Now I can forget about this for a while and concentrate on my crossword puzzles.

Barbara J. Dotson
Athens, TN 37303
McMinn County

P.S. You say you 'believe' there are four (4) parking spaces for handicapped individuals, but I only saw two (2)!

--- On **Tue, 7/27/10, Cara Harr <Cara.Harr@tn.gov>** wrote:

From: Cara Harr <Cara.Harr@tn.gov>
Subject: Re: parking at Annex for early voting - McMinn County
To: mcelect03@comcast.net, "Juanita and lynn Dotson" <juanita_and_lynn@yahoo.com>
Cc: "Tennessee Elections" <Tennessee.Elections@tn.gov>
Date: Tuesday, July 27, 2010, 8:45 PM

Ms. Dotson,

I received your email from Secretary Tre Hargett. I have spoken to Kris Williams, administrator in McMinn County, regarding this issue and reviewed the photographs taken by Ms. Anita Dotson. While I understand the parking situation in McMinn County, the election commission office has no authority to expand the campaign-free zone. The campaign-free boundary is set by statute at 100 feet by Tennessee Code Annotated 2-7-111. The courts have held that there is a

balance between one's freedom of speech -- campaigning -- and one's right to cast a ballot in an election free from the taint of intimidation and fraud. Courts have said the boundary may be no more than 100 feet from the entrances of the polling location.

In speaking with Ms. Williams, the spaces where the tents and signs are set up were not "reserved" for them. The candidates and those campaigning for those candidates choose where to stand outside the 100-foot boundary. It is my understanding, from Ms. Williams, that the candidates began placing those tents, signs and trucks in the parking area prior to the first day of early voting. Ms. Williams does not have the authority to remove those individuals, signs, tents, or trucks from the area. Ms. Williams would actually be in violation of the 100-foot statute if she did remove those items because the courts have held that campaign material is permitted outside the boundary.

I believe that there are four (4) parking spaces for those with disabilities, as well as six (6) additional parking spaces within the 100-foot boundary. Certainly, you should not have to have a tag in order to vote, but every polling place must be accessible, and, therefore a certain number of parking spaces must be accessible. Another issue mentioned is that the signs and trucks are causing a safety hazard for those driving. If the police determine those vehicles to be a safety hazard, they might have the authority to remove them.

Realize, the courts have determined that the balance between the voter's right to cast a ballot free of intimidation and fraud and the candidate's right to free speech is at the 100-foot boundary. Therefore, neither Ms. Williams, nor the State Election Commission has the authority to stop the activities outside the 100-foot boundary at the early voting site.

Cara E. Harr
HAVA Attorney
Division of Elections
William R. Snodgrass
Tennessee Tower, 9th Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243

(615)741-7956

email: Cara.Harr@tn.gov

>>> Juanita and lynn Dotson <juanita_and_lynn@yahoo.com>
7/23/2010 4:06 PM >>>

I drove by the Annex today around 8:30 a.m. and the parking lot was completely full. For over two months I have been suffering from the shingles. I do not have a handicapped tag but it is hard for me to get around. The heat is very bad for me because I also suffer from asthma. I am 81 years old. Where am I supposed to park in order to do early voting?

The parking lot has already been the topic of several complaints in the local newspaper's 'sound off' column. During early voting for the county primary my daughter said there were only 4 parking spaces available close to the front entrance and then it was blocked off by yellow tape. The rest was 'free space' for campaigners and various candidates. I was too sick to go to early voting for the county primary but I do wish to vote this time.

Do I need to get a handicapped tag for my car before I can park in order to vote? I can't walk the distance that I saw today, even that early in the morning. I also came back around 12:30 pm but the lot was still very full and I would still have to walk a long way to get to the front door. Is my only daughter going to have to take off work in order to take me to go vote? I can't park illegally next to the building, run in and vote, and then run back out. I am a slow woman right now and probably will be the rest of my life. I have only lived in Athens a short time so I don't have friends here. The majority of the rest of my family is in Polk county.

I don't understand why there is so much room reserved for tents and signs and only a small section for those who actually wish to vote. The entire scene reminds me of those cheap carnivals that used to come to town and take all your money. I have made up my mind about who I will vote for, I don't need to talk to the candidates at the Annex or any of the supporters. I just want to VOTE!

We have one more week of early voting left. Please get rid of the tents and huge signs which

make it a hazard in order to see when coming out of the parking area or turning. The parking at my regular voting location is even worse so I always try to vote early. When I lived in Bradley county they had a mobile truck or something that was at the mall for early voting. There was never a problem with parking, and i did not have to fight through literally hundreds of signs in order to vote. It was dignified. The scene here in Athens is a disgrace. It is like a wild party. Voting is serious and important, not a frivolous event so people can put up tents and sit next to coolers and drink who knows what out of them.

I encourage your office to take measures to make voting in this county a dignified experience.

Thank you.

Barbara J. Dotson
Athens, TN 37303

Kathy Summers - Fwd: Re: Problems with early voting in McMinn County, photographic evidence

From: Cara Harr
To: Summers, Kathy
Date: 8/2/2010 10:03 AM
Subject: Fwd: Re: Problems with early voting in McMinn County, photographic evidence

With the complaint also.

>>> Anita Dotson <dotsonanita@bellsouth.net> 7/27/2010 8:43 PM >>>
 Dear Ms. Harr,

Thank you for your prompt reply. I most certainly appreciate your willingness to present this issue at the next State Election Commission meeting on August 17, 2010 in Nashville.

I understand that Administrator Williams does not have the authority to change the 100 foot barrier or move items placed in the parking lot by candidates. I have already viewed the Tennessee Code Annotated 2-7-111, but this particular law favors counties in which metro government is in place, or there is a larger population. In such cases, it is within the law to expand the campaign-free zone. Can you please explain to me why this is not the case for all counties within our State? How may I personally find out how that law came into being and how it passed?

My major complaint is about the level of this activity in the parking area. In previous years the situation has grown to include generators, fans, open gas containers left unattended...the list goes on and on. I am concerned for the public safety of all individuals. I am also concerned about intimidation being used by the placement of the tents. I do not wish to fight through them in order to reach the polls. In years past a candidate stood aside without the use of brightly colored tents, etc. and might offer you a pencil or card. Personally I never took such items, even if I was indeed going to vote for that particular candidate.

Perhaps there is a divide in what I expect, and certainly what my Mother expects, when we go to vote. She and I both wish to have a dignified atmosphere. One particular candidate even told voters on his Facebook page to 'join the circus' down at the Courthouse Annex. I realize there are different styles for each person, but I firmly believe that in this country the act of voting is not a 'circus'.

I was not targeting any particular candidate or supporter when I took the photographs. The photographs merely serve to show the scope of the parking area and how much space is being taken up. I am frankly ashamed of the candidates of my choice doing the same thing, but I assume they felt compelled to conduct further campaigning as the other candidates were doing. At this point I have not approached any candidate personally on this issue as I fear some type of retaliation, even from those candidates that I support.

My Mother, Barbara, is now 81 years of age. It was a major accomplishment for her to look up the original email address, along with that belonging to Administrator Williams and email her views. While I have shown her how to email family and friends, she is not what I would call completely experienced in computer usage. She is an intelligent and resourceful woman, and I have the search engine "Google" placed on our browsers. She 'googled' in order to obtain the email addresses and I was quite impressed. But she did this because she was quite angry about this situation.

She has come into the room and informed me that she is now not sure if she even wants to go vote tomorrow.

She read your email and thinks your use of "accessibility" and "free from the taint of intimidation" do not apply in the situation here in McMinn County. She expressed her feelings like this, "Early voting was originally just for senior citizens but now it is for everyone and what happens to us?" She told me that she never saw this take place at the voting polls she visited while living in Cleveland, TN (Bradley County) and she lived there for over 50 years.

I am quite upset about her change of attitude toward the voting process, and I have managed to arrange some extra time off for lunch so that I may take her personally to the Courthouse Annex. She has only missed voting once since she became of voting age, and that was in the previous county-wide primary in McMinn County. She had a severe case of the shingles at that time, and is actually still in recovery. It was a miracle I was even able to get away to vote myself. I certainly did not think about absentee voting, or requesting a paper ballot be mailed at that time. My mind was full of concern for her and her health. Since my brother and father have passed away I am the only relative in this household to care for her. At that time I was out of work so I was able to care for her. The position I have now is only temporary and it was a major hassle to arrange to get 30 extra minutes of free time to add to my 30 minute regular lunch session.

It could be that in the future I may have to have her write her own letter in order to request the paper ballot be mailed to her so she may vote and then mail the ballot back to the local Elections office. In fact, I may do the same. If you will read what I originally wrote you will know that I research the candidates ahead of time and have my mind made up before I go to the polls. I realize others may not follow this common sense approach or have not been able to attend other functions in which candidates have been accessible. I can see both sides, but I do still formally request that all counties be given the same freedom to expand the 100 foot campaign free zone, and also to limit the number of parking spaces a candidate and their supporters can use outside the zone.

Perhaps this is a sign of the times and now everything is considered a great big party. But we do not feel the urge to join in this 'party atmosphere', nor walk past numerous tents for the same candidate and see their wives, children, and even babies in the weather we are experiencing right now.

I doubt you will hear back from my Mother personally. She is quite upset about this. Yes, she is 81 years of age, but she has a good mind and stays on top of the issues. I know her recovery from the shingles has been rather drawn out and we will probably face another year until she is (hopefully) free of symptoms. She might be a bit more on edge because of her health situation, and I might be a bit more on edge because she is my Mother. Naturally I will fight to do what I think is right. She does have a point about the senior citizens and early voting, although I have found it to be a wonderful convenience. But the convenience factor is simply not in evidence at the McMinn County Courthouse Annex. The candidates need to tone it down and limit the number of signs and parking spaces being taken up by tents, and sign trailers. They need to have some _respect_ for the voting public, otherwise how can I have respect for them?

I will be looking forward to any developments from the State Election Commission meeting which takes place in August of this year.

Thank you for your patience and understanding in this matter.

Sincerely,

Anita Dotson
1821 Crestwood Rd
Athens, TN 37303

Cara Harr wrote:

Ms. Dotson,

I received your email from Secretary Tre Hargett. I have spoken to Kris Williams, administrator in

McMinn County, regarding this issue and reviewed the photographs submitted. At the next State Election Commission meeting, your complaint will be presented to the commission. However, I wanted to respond to your complaint in the same manner that I responded to your mother, Barbara Dotson's, complaint.

While I understand the parking situation in McMinn County, the election commission office has no authority to expand the campaign-free zone. The campaign-free boundary is set by statute at 100 feet by Tennessee Code Annotated 2-7-111. The courts have held that there is a balance between one's freedom of speech -- campaigning -- and one's right to cast a ballot in an election free from the taint of intimidation and fraud. Courts have said the boundary may be no more than 100 feet from the entrances of the polling location.

In speaking with Ms. Williams, the spaces where the tents and signs are set up were not "reserved" for them. The candidates and those campaigning for those candidates choose where to stand outside the 100-foot boundary. It is my understanding, from Ms. Williams, that the candidates began placing those tents, signs and trucks in the parking area prior to the first day of early voting. Ms. Williams does not have the authority to remove those individuals, signs, tents, or trucks from the area. Ms. Williams would actually be in violation of the 100-foot statute if she did remove those items because the courts have held that campaign material is permitted outside the boundary.

I believe that there are four (4) parking spaces for those with disabilities, as well as six (6) additional parking spaces within the 100-foot boundary. Certainly, you should not have to have a tag in order to vote, but every polling place must be accessible, and, therefore a certain number of parking spaces must be accessible. Another issue mentioned is that the signs and trucks are causing a safety hazard for those driving. If the police determine those vehicles to be a safety hazard, they might have the authority to remove them.

Realize, the courts have determined that the balance between the voter's right to cast a ballot free of intimidation and fraud and the candidate's right to free speech is at the 100-foot boundary. Therefore, neither Ms. Williams, nor the State Election Commission has the authority to stop the activities outside the 100-foot boundary at the early voting site.

Cara E. Harr
HAVA Attorney
Division of Elections
William R. Snodgrass
Tennessee Tower, 9th Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243

(615)741-7956
email: Cara.Harr@tn.gov

>>> Anita Dotson <dotsonanita@bellsouth.net> 7/23/2010 6:31 PM >>>
Dear State Commission of Elections,

I am filing a formal complaint about the concerns I have in how candidates and their supporters conduct themselves and create chaos at the early voting location in McMinn County, Tennessee.

During the previous county-wide early voting period this area (McMinn County Courthouse Annex) was plastered with signs, along with one complete row of the parking area filled with pick-up

trucks with huge campaign signs sitting upright in the truck bed. These signs made it difficult to see properly when turning out of the parking area. At that time I almost sent in a letter to the editor of the local newspaper, but my mother was very ill at the time and I honestly didn't have time to do it.

Early voting (state-wide primary) started last Friday in this county. Even before early voting began the trucks were parked again along the side row, blocking motorists' view. As the date approached, even more signs appeared. In my estimation I would think that there are at least 200 signs in this one area, double what was around during the county-wide primary.

Personally I have only spoken to a candidate once at a voting location during my entire voting lifetime, and I am now aged 51. I have strived to vote in every election that I possibly could, even going as far as to do absentee voting during my college years. (that was before the law was passed and those other than senior citizens could vote early) I do my homework on each candidate, reading local newspapers, attending local community forums for various candidates, and 'meet and greet' opportunities sponsored by the candidates themselves. During this past county-wide primary I even ended up at the County Finance Office in order to do research to confirm a candidate's claims in a political flyer. I discovered that this candidate's claims were false and although we communicated via email after I got the 'goods' and gave him the actual numbers he did not convince me as to why he stated what he did in the flyer. I had planned to vote for him but after careful consideration, and info from the Finance Office, I changed my mind.

I do not take the privilege of voting lightly. It is a serious and important decision and should be conducted in a dignified manner. Such is not the case in this county. Please take the time to view these photos that I myself took today around 1 pm. I ended up taking my 30 minute lunch time to take these photos because my Mother had called and had complained about not being able to find parking space nearby. She also wrote to you and the local Elections Commissioner. She is correct in that there have been two complaints about this situation in the local newspaper, Daily Post Athenian, on Tuesday, July 20, Early voting started on the 16th.

I hope you can tell what is going on in these photos. If you wish to have larger images I will gladly supply them, but I didn't want to overload your email server. I have several notes so please take the time to read what is listed.

This first photo was taken from my car in the parking spot that was the only one I found that was 'relatively close' to the front entrance of the Court House Annex. Yes, perhaps I would be able to make it to the door, but for an elderly person or a handicapped person in this 100 degree heat.....NO, they would not be able to do it. (there are very limited handicapped spaces in my opinion at this location)



IMG_1316

This photo was taken after I parked across the street in a small shopping area. Please note the tents, multiple signs, and 'lift-truck' that is being used and taking up valuable parking space. Although this is supposedly 'within the law' of the footage requirement as to how close a candidate, campaigner, etc can be at the main entrance.



IMG_1327

This just shows how close all this is to the main entrance. A truly 'carnival type' atmosphere.....



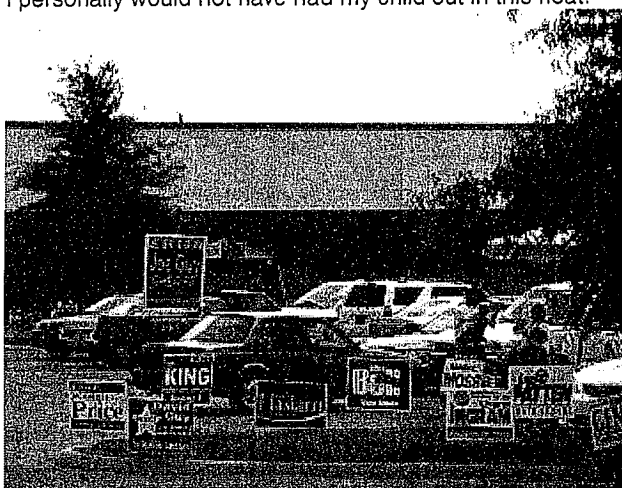
IMG_1319

More tents and yet another pick-up truck with a huge sign. Perhaps this truck owner was actually inside voting, but then again maybe he/she was not and only taking up valuable parking space.



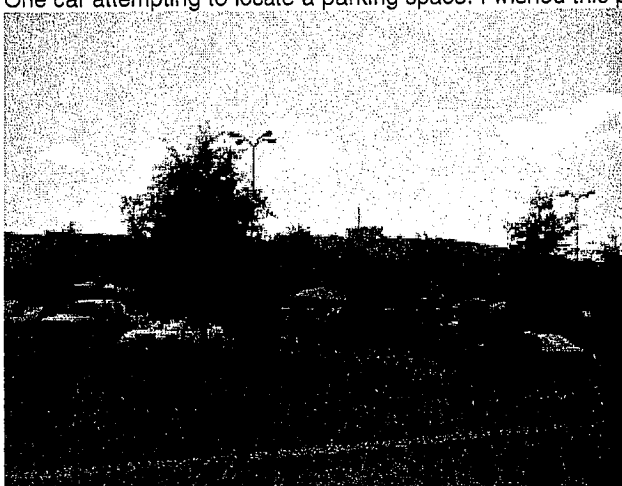
IMG_1332

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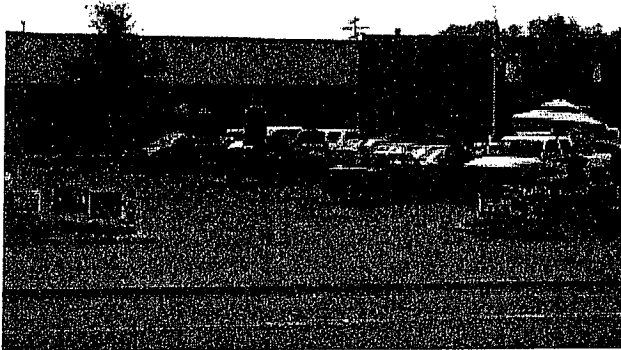
IMG_1322

One car attempting to locate a parking space. I wished this person good luck.....



IMG_1326

By this time a few spaces had opened up, but it was nearly 1:30 pm by now and very hot. I know my 81 year old Mother would not be coming by at this time of the day to vote.



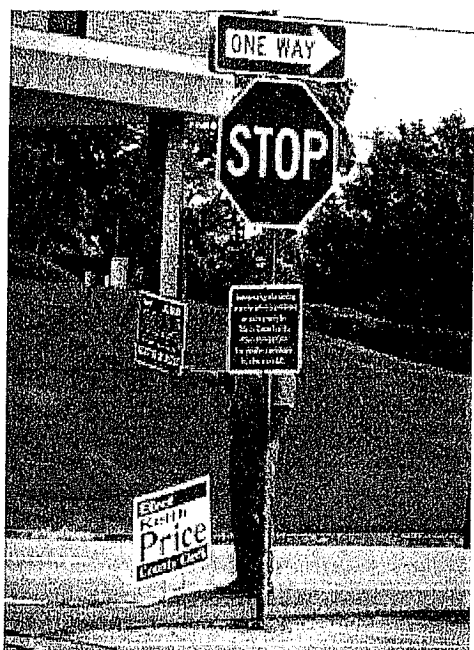
IMG_1330

Yet another tent and more signs.



IMG_1331

This person actually hid his face behind the stop sign when he saw that I was taking photos!!! I thought that was sort of odd because everyone who drove by got to see who he is.



IMG_1333

This is the row of trucks, on the left side of the main parking area, an entire row of parking spaces taken up by trucks with signs. Can this be legal? I was particularly concerned about the parking situation during early voting for the county primary because I was also serving jury duty and this is the main parking lot for jurors. Thankfully I did not have to come in during the early voting, otherwise I would have had to park in an illegal spot, or park in a two-hour zone and then get a ticket.



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This should really be against the law. There are personal businesses that share this parking lot with the Court House Annex. So their business parking is being effected as well. If I owned a business there I would be very unhappy to have NO parking for my customers, especially in these hard economic times.



IMG_1334

Just another 'beer party' it seems here.....



IMG_1321

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My formal request is that tents and vehicles containing large signs be removed from the full parking area of any voting location. Signs should be limited in size and number. The 'political free zone' should be expanded to include the entire parking area with the exception of an 8 foot 'border' in which candidates can stand and meet and greet if they wish, but do away with the tents. That looks so cheap and tawdry.

Thank you for your time and attention in this matter.

Anita L. Dotson

1821 Crestwood Rd
Athens, TN 37303

Kathy Summers - Fwd: Photo here shows Distance marker in McMinn County, TN

From: Cara Harr
To: Summers, Kathy
Date: 7/27/2010 3:59 PM
Subject: Fwd: Photo here shows Distance marker in McMinn County, TN

>>> Anita Dotson <dotsonanita@bellsouth.net> 7/24/2010 1:41 AM >>>
Dear Elections Commissioner,

If you viewed the earlier photos you know the parking lot is fairly large, yet look at where the "Distance Marker" is located. I know there is a law according to footage, but this is unacceptable. The majority of the lot is filled with trucks parks in the spot backwards with signs, along with tents, chairs and other vehicles such as trailers, and a bucket truck. This photo is a crop from another that I did not originally send to you.

I have contacted Commissioner Williams about this also. She did not receive the photos as she sees this each and every day. I know her hands are tied by the law. But in cases such as this, something needs to be done.

it will be interesting to see how many other people speak up during next weeks' "Sound off" column in the local newspaper. People are getting fed up with seeing this inconsideration of citizens' rights to early voting. Early voting was created to make voting more convenient to people, not a battle of parking shark hassles.

NOT many Spaces Available For Voters in McMinn County, TN



NOT many Spaces Available For Voters

Kathy Summers - Re: Problems with early voting in McMinn County, photographic evidence

From: Cara Harr
To: Dotson, Anita
Date: 7/27/2010 3:58 PM
Subject: Re: Problems with early voting in McMinn County, photographic evidence

Ms. Dotson,

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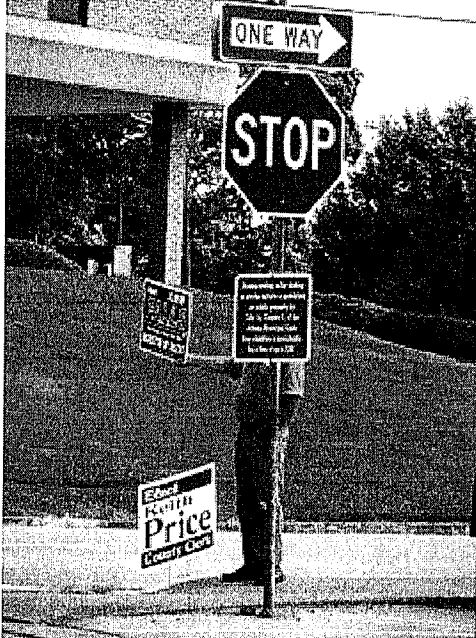
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Thank you for your time and attention in this matter.

Anita L. Dotson
1821 Crestwood Rd
Athens, TN 37303

105th - 106th
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DISTRICT 92

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rep.ga.hardaway@capitol.tn.gov

House of Representatives
State of Tennessee

G.A. HARDAWAY

STATE REPRESENTATIVE
92ND DISTRICT
MEMPHIS / SHELBY COUNTY

CHAIRMAN:
*COMMERCE, LABOR &
TRANSPORTATION JOINT
SUBCOMMITTEE OF
GOVERNMENT OPERATIONS

MEMBER OF COMMITTEES:
*GOVERNMENT OPERATIONS
*CHILDREN & FAMILY AFFAIRS
*CONSUMER & EMPLOYEE
AFFAIRS

MEMBER OF SUBCOMMITTEES:
*FAMILY JUSTICE
*CONSUMER AFFAIRS

CHAIRMAN:
SHELBY COUNTY DELEGATION

MEMBER OF CAUCUSES:
*TENNESSEE HOUSE
DEMOCRATIC CAUCUS
*TN BLACK CAUCUS OF STATE
LEGISLATORS
*TBCSL TITLE VI ~ CHAIRMAN
*SHELBY COUNTY DEMOCRATIC
LEGISLATIVE CAUCUS

Dear Chairman Wheeler:

Please be advised that pursuant to my legislative duties to the people of the 92nd House District, and as a member of the Shelby County Legislative Delegation, I have made numerous inquiries into allegations of improprieties and malfeasance arising from the most recent elections (August 5, 2010) in Shelby County. I have likewise attended several meetings with both governmental and party officials, wherein hundreds of citizens have voiced their concerns regarding the integrity of the election results. The Shelby County Election Commission has admitted and verified that there were numerous systemic failures resulting in voters being denied access to the ballot and completion of the voting process.

Subsequent efforts by affected candidates to resolve outstanding questions have been met with what amounts to stalling tactics by employees of the Shelby County Election Commission. There also appears to be efforts under way to destroy and/or alter evidence.

Documentation to report these allegations will be delivered to your office on or before Monday, August 16, 2010.

It is quite apparent to me that there is sufficient cause to believe that the integrity of the election results should be questioned by the State Election Commission and that an official inquiry should be conducted. Accordingly, I am requesting that you immediately present my request for a Show Cause Hearing to the State Election Commission, and that the hearing be scheduled as soon as possible. Also, I am requesting that you instruct the Shelby County Election Commission to cease and desist from certifying the August 5, 2010 election results until the inquiry is complete, and I am requesting that you immediately take the necessary steps to preserve all relevant records and evidence.

If you have any questions, please do not hesitate to contact me. My expectations are that you will personally oversee the follow through of my requests. Thank you for your personal and timely attention to this matter.

Sincerely,



State Representative G.A. Hardaway, Sr.

EMAIL
REP.GA.HARDAWAY@LEGISLATURE.STATE.TN.US

second, after the election but prior to the taking of the oath in an election contest in the state senate, OAG 02-032 (3/15/02).

Collateral References. Ballots ⇐ 144.160-196.

2-5-203. Independent candidates. — Candidates who are not to be placed on ballots as nominees of a political party shall be known as "independent candidates." [Acts 1972, ch. 740, § 1; T.C.A., § 2-504.]

Collateral References. Ballots ⇐ 144.160-196.

2-5-204. Placing of names on ballots — Withdrawal or disqualification of candidate — Death of candidate. — (a) Each qualified candidate's name shall be placed on the ballot as it appears on the candidate's nominating petitions unless the candidate dies before the ballots are printed, or unless the candidate requests in writing that the candidate's name not appear on the ballot and files the request with each of the officers with whom the candidate filed nominating petitions or to whom the candidate's nomination was certified as a political party nominee, or unless the executive committee with which a primary candidate filed the original petition determines that the candidate is not qualified under § 2-13-104.

(b)(1) A candidate's request to withdraw shall be filed no later than twelve o'clock (12:00) noon prevailing time on the seventh day after the qualifying deadline for the election. A candidate who qualifies pursuant to § 2-5-101(g)(1) or who is nominated pursuant to § 2-13-204(c) must file any request to withdraw no later than twelve o'clock (12:00) noon prevailing time on the third day after the qualifying deadline.

(2) An executive committee's determination shall be filed with the chair or administrator of elections of each county election commission on whose ballots the candidate's name would otherwise appear no later than twelve o'clock (12:00) noon prevailing time on the seventh day after the qualifying deadline for the election.

(c) If no less than four (4) members of the county election commission vote in the affirmative that a candidate's name on the ballot would be confusing or misleading, the county election commission may require further identifying information or may omit any confusing or misleading portion of the name. In an election where the candidate's name will appear on the ballot in more than one (1) county, this authority shall rest with the state election commission.

(d) No titles may be printed with the candidate's name.

(e) If a candidate dies within forty (40) days before the election, the decedent's name shall remain on the ballot. If the deceased candidate receives the necessary votes to otherwise be elected, then a vacancy shall exist. The vacancy shall be filled as otherwise provided for by law. [Acts 1972, ch. 740, § 1; 1978, ch. 754, § 2; T.C.A., § 2-509; Acts 1988, ch. 933, § 14; 1989, ch. 128, § 2; 1999, ch. 6, § 3; 1999, ch. 197, § 6; 2001, ch. 413, § 2.]

Compiler's Notes. References to the county "registrar-at-large" and "deputy registrar" have been changed to "administrator of elections" and "deputy", respectively, pursuant to Acts 1997, ch. 558, §§ 21 and 22.

Section to Section References. This section is referred to in § 2-5-101.

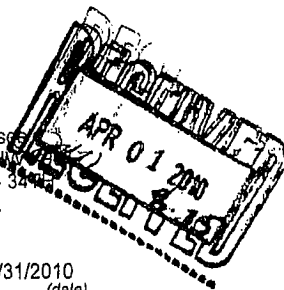
STATE OF TENNESSEE CANDIDATE NOMINATING PETITION PRIMARY CANDIDATE

We the undersigned registered voters in the county of RUTHERFORD, State of Tennessee and members of the Republican Party, hereby nominate RICHARD B. WOMICK, 6015 HWY 99 ROCKVALE, as a candidate for the office of STATE HOUSE OF REPRESENTATIVES - 34th DISTRICT to be voted on in the election which will be held on the 05 day of August, 2010. We request that his/her name be printed on the official ballot.

This petition was issued by

Denise L. Hill
(signature of election official)

03/31/2010
(date)



TO BE COMPLETED BY THE CANDIDATE

I hereby direct that my name appear on the official ballot as follows, and I declare, under penalty of perjury, that I have reviewed the qualifications for the office sought herein and hereby certify that I meet said qualifications and that the information provided over my signature is true and correct:

Richard B. WOMICK

PRINT NAME

6015 Hwy 99 Rockvale 37153 615-898-1184

(residential address of candidate)

(zip code)

(residential phone)

N/A

(business address of candidate)

(zip code)

(business phone)

615-579-3672

CANDIDATE'S SIGNATURE

Richard B. WOMICK

(Required Under TCA 2-6-102)

T.C.A. 2-19-109 provides that a person who knowingly makes any false entry on an election document commits a class D felony.

FOR JUDICIAL CANDIDATES ONLY:

By my signature, I hereby certify that I am licensed to practice law in this state.

(signature of candidate)

SUPREME COURT REGISTRATION NO.

NOMINATING SIGNATURES

(must be registered voters who are eligible to vote to fill this office)

(Cannot sign for another - no ditto ** marks)

(Address as listed on registration - No P.O. Boxes)

Sign here Donna J Rowland

Street address 261 Bartfield Crescent Rd

Print here Donna J Rowland

City/county/state/zip Murfreesboro, TN 37128

Sign here Mike J Liles

Street address 1401 Van Cleve Ln

Print here Mike J Liles

City/county/state/zip Murfreesboro, TN 37129

Sign here Beverly A Smithson

Street address 1919 Van Cleve Ln

Print here Beverly A Smithson

City/county/state/zip Murfreesboro, TN 37129

Sign here GP West

Street address 1503 Van Cleve Lane

Print here GP West

City/county/state/zip Murfreesboro, TN 37129

Sign here Marguerite West

Street address 1503 Van Cleve Lane

Print here Marguerite West

City/county/state/zip Murfreesboro, TN 37129

Sign here Mary Barone Martin

Street address 223 Harding Place

Print here Mary Barone Martin

City/county/state/zip Murfreesboro, TN 37129

Sign here Roger Davenport

Street address 2116 Harding Pl.

Print here Roger Davenport

City/county/state/zip Murfreesboro, TN

Sign here Rhonda Summar

Street address 1631 Van Cleve

Print here Rhonda Summar

City/county/state/zip Murfreesboro, TN 37129

STATE OF TENNESSEE
CANDIDATE NOMINATING PETITION
PRIMARY CANDIDATE

We the undersigned registered voters in the county of RUTHERFORD, State of Tennessee, and members of the Republican Party, hereby nominate RICHARD B. WOMICK, 6015 HWY 99, ROCKVALE, as a candidate for the office of STATE HOUSE OF REPRESENTATIVES - 34TH DISTRICT to be voted on in the election which will be held on the 05 day of August, 2010. We request that his/her name be printed on the official Ballot.

This petition was issued by Dennis L. Liles 03/31/2010
(signature of election official) (date)
CANDIDATE'S SIGNATURE Richard B. Womick

NOMINATING SIGNATURES

(must be registered voters who are eligible to vote to fill this office)

(Cannot sign for another - no ditto ** marks)

(Address as listed on registration - No P.O. Boxes)

✓ Sign here <u>Mary Royal Tettelbach</u>	Street address <u>150 W Thompson Ln G106</u>
Print here <u>Mary Royal Tettelbach</u>	City/county/state/zip <u>Murfreesboro TN 37129</u>
✓ Sign here <u>Richard B. Tettelbach Jr</u>	Street address <u>150 W Thompson Ln G106</u>
Print here <u>Richard B. Tettelbach Jr</u>	City/county/state/zip <u>Murfreesboro/Rutherford/TN/37129</u>
✓ Sign here <u>Marilyn J. Vaughn</u>	Street address <u>3161 Jenkins Dr</u>
Print here <u>Marilyn J. Vaughn</u>	City/county/state/zip <u>Murfreesboro, TN 37128</u>
✓ Sign here <u>Ralph E. Vaughn</u>	Street address <u>3161 Jenkins Drive</u>
Print here <u>Ralph E. Vaughn</u>	City/county/state/zip <u>Murfreesboro, TN 37129</u>
✓ Sign here <u>J. R. Ridd</u>	Street address <u>2904 Islington Dr</u>
Print here <u>Jim Ridd</u>	City/county/state/zip <u>Murfreesboro, Rutherford, TN 37128</u>
✓ Sign here <u>Guanta Ridd</u>	Street address <u>2904 Islington Dr</u>
Print here <u>Alice Juanita Ridd</u>	City/county/state/zip <u>Murfreesboro, TN 37128</u>
✓ Sign here <u>Lora Hortert</u>	Street address <u>847 River Rock Blvd.</u>
Print here <u>Lora Hortert</u>	City/county/state/zip <u>Murfreesboro, TN 37128</u>
✓ Sign here <u>Anthony M. Hortert</u>	Street address <u>847 River Rock Blvd</u>
Print here <u>Anthony M. Hortert</u>	City/county/state/zip <u>Murfreesboro, TN 37128</u>
✓ Sign here <u>Greg M. Liles</u>	Street address <u>1485 Cason Ln</u>
Print here <u>Greg M. Liles</u>	City/county/state/zip <u>Murfreesboro TN 37128</u>
✓ Sign here <u>Tricia Liles</u>	Street address <u>1485 Cason Ln.</u>
Print here <u>Tricia Liles</u>	City/county/state/zip <u>Murfreesboro TN 37128</u>
✓ Sign here <u>Chris Oxsher</u>	Street address <u>1656 St. Andrews Drive</u>
Print here <u>Chris Oxsher</u>	City/county/state/zip <u>Murfreesboro, TN 37128</u>
✓ Sign here <u>Jeffrey Clark</u>	Street address <u>1419 Cason Ln</u>
Print here <u>Jeffrey Clark</u>	City/county/state/zip <u>Murfreesboro TN 37128</u>
✓ Sign here <u>Karen Clark</u>	Street address <u>1419 Cason Ln</u>
Print here <u>Karen Clark</u>	City/county/state/zip <u>Murfreesboro TN 37128</u>
✓ Sign here <u>Bryan Spadick</u>	Street address <u>1433 Cason Lane</u>
Print here <u>Bryan Spadick</u>	City/county/state/zip <u>Murfreesboro, TN 37128</u>
✓ Sign here <u>Chad M. Butler</u>	Street address <u>1135 Cason Lane</u>
Print here <u>Chad M. Butler</u>	City/county/state/zip <u>Murfreesboro, TN 37128</u>

**STATE OF TENNESSEE
CANDIDATE NOMINATING PETITION
PRIMARY CANDIDATE**

We the undersigned registered voters in the county of RUTHERFORD, State of Tennessee, and members of the Republican Party, hereby nominate RICHARD B. WOMICK, 6015 HWY 99, ROCKVALE, as a candidate for the office of STATE HOUSE OF REPRESENTATIVES - 34TH DISTRICT to be voted on in the election which will be held on the 05 day of August, 2010. We request that his/her name be printed on the official ballot.

This petition was issued by

03/31/2010

(date)

CANDIDATE'S SIGNATURE

Richard B. Womick
(signature of election official)

NOMINATING SIGNATURES

(must be registered voters who are eligible to vote to fill this office)

(Cannot sign for another - no ditto ** marks)

(Address as listed on registration - No P.O. Boxes)

24. Sign here *Robyn Butler*Street address *135 Cason Lane*Print here *Robyn Butler*City/county/state/zip *Murfreesboro, TN 37128*25. Sign here *Patricia W. Floyd*Street address *2607 Cason Ct*Print here *Patricia W. Floyd*City/county/state/zip *Murfreesboro, TN 37128*26. Sign here *Kayla L. Womick*Street address *16015 Hwy 99*Print here *Kayla L. Womick*City/county/state/zip *Rockvale, TN 37153*27. Sign here *Priscilla C. Leisman*Street address *440 Annadel St.*Print here *Priscilla C. Leisman*City/county/state/zip *Murfreesboro, TN 37128*28. Sign here *Ronda L. Bolling*Street address *452 Annadel St*Print here *Ronda Bolling*City/county/state/zip *Murfreesboro TN 37128*29. Sign here *Karen J. Hillman*Street address *121 ANNADALE CT*Print here *Karen J. Hillman*City/county/state/zip *Murfreesboro, TN 37128*30. Sign here *David G. Farrington*Street address *120 REGINA CT*Print here *DAVID G. FARRINGTON*City/county/state/zip *MURFREESBORO TN 37128*31. Sign here *Kristie Fannington*Street address *20 Regina Ct.*Print here *Kristie Fannington*City/county/state/zip *Murfreesboro, TN 37128*32. Sign here *Theresa Ketrone*Street address *205 S. Elm, 2510 Blanton's Park*Print here *THERESA KETRONE*City/county/state/zip *Murfreesboro, TN 37129*33. Sign here *Bill Ketrone*Street address *2510 Blanton's Park*Print here *BILL KETRONE*City/county/state/zip *MURFREESBORO TN 37129*34. Sign here *Roby Scholten*Street address *1353 Clairmont Dr*Print here *Roby Scholten*City/county/state/zip *Murfreesboro, TN 37129*35. Sign here *Sharon K. Scholten*Street address *2343 Clairmont Dr.*Print here *Sharon K. Scholten*City/county/state/zip *H.boro, TN 37129*36. Sign here *Karena Scholten*Street address *2343 Clairmont DR*Print here *Karena Scholten*City/county/state/zip *m.boro, TN 37129*37. Sign here *Christina Shadlock*Street address *433 Cason Ln.*Print here *Christina Shadlock*City/county/state/zip *M'boro, TN 37128*Sign here *Bryan Capps*Street address *101 Dalton Dr.*Print here *Bryan Capps*City/county/state/zip *Rockvale, TN 37153*

**STATE OF TENNESSEE
CANDIDATE NOMINATING PETITION
PRIMARY CANDIDATE**

We the undersigned registered voters in the county of RUTHERFORD, State of Tennessee, and members of the Republican Party, hereby nominate RICHARD E. WOMICK, 6015 HWY 99, ROCKVALE, as a candidate for the office of STATE HOUSE OF REPRESENTATIVES - 34TH DISTRICT to be voted on in the election which will be held on the 05 day of August, 2010. We request that his/her name be printed on the official ballot.

This petition was issued by _____

03/31/2010

CANDIDATE's SIGNATURE _____

(signature of election official)

(date)

NOMINATING SIGNATURES

(must be registered voters who are eligible to vote to fill this office)

(Cannot sign for another - no ditto ** marks)

(Address as listed on registration - No P.O. Boxes)

39.	Sign here	<u>Sherry L. Capps</u>	Street address	<u>10 Dalton Drive</u>
	Print here	<u>Sherry L. Capps</u>	City/county/state/zip	<u>Rockvale, TN 37153</u>
40.	Sign here	<u>Doug Dumpert</u>	Street address	<u>241 Verde Ct.</u>
	Print here	<u>Doug Dumpert</u>	City/county/state/zip	<u>M'boro TN 37128</u>
41.	Sign here	<u>Pamela Dumpert</u>	Street address	<u>241 Verde Ct.</u>
	Print here	<u>Pamela Dumpert</u>	City/county/state/zip	<u>M'boro, TN 37128</u>
42.	Sign here	<u>David K Hart</u>	Street address	<u>802 MAJESTY DR</u>
	Print here	<u>DAVID K HART</u>	City/county/state/zip	<u>MURFREESBORO, TN 37129</u>
	Sign here	<u>Anna Marie Hart</u>	Street address	<u>802 Majesty Dr.</u>
	Print here	<u>Anna Marie Hart</u>	City/county/state/zip	<u>MURFREESBORO, TN 37129</u>
44.	Sign here	<u>Rachel Hart</u>	Street address	<u>802 Majesty Dr.</u>
	Print here	<u>Rachel Hart</u>	City/county/state/zip	<u>Murfreesboro, TN 37129</u>
45.	Sign here	<u>Jan Womick</u>	Street address	<u>6015 Hwy 99</u>
	Print here	<u>Jan Womick</u>	City/county/state/zip	<u>Rockvale, TN 37153</u>
46.	Sign here	<u>Ernest Burgess</u>	Street address	<u>7097 Franklin Rd</u>
	Print here	<u>Ernest Burgess</u>	City/county/state/zip	<u>Murfreesboro, TN 37128</u>
47.	Sign here	_____	Street address	_____
	Print here	_____	City/county/state/zip	_____
48.	Sign here	_____	Street address	_____
	Print here	_____	City/county/state/zip	_____
49.	Sign here	_____	Street address	_____
	Print here	_____	City/county/state/zip	_____
50.	Sign here	_____	Street address	_____
	Print here	_____	City/county/state/zip	_____

July 29, 2010

TO: Mr. Tom DuBois
Chairman, State Election Commission
312 Rosa L. Parks Ave. 9th Floor
Nashville, TN 37243

FROM: Rick Womick
Candidate for State Representative, 34th District
6015 Highway 99
Rockvale, TN 37153

SUBJ: Request for a Waiver to Modify First Name

Dear Chairman DuBois:

I am writing you to request a waiver to modify my full legal name of "Richard" to "Rick" on the November 2nd ballot. Currently, the primary ballot has my full legal name of Richard B. Womick on the ballot for State Representative in the 34th District. Since I go by, am known as, and am campaigning as Rick Womick, I am requesting that my first name be modified on the November ballot to read "Rick Womick" instead of "Richard B. Womick."

I have received over 25 phone calls regarding the primary ballot and all have expressed confusion over who they voted for, wanting to know if that was really me on the ballot. I find it hard to believe there could be confusion, but apparently there is among the electorate. I feel that if my name is not revised to reflect my nickname of "Rick," that I may potentially lose votes in the upcoming November 2nd election.

Being fairly new to running for office, I read the nominating petition incorrectly, noting the "penalty of perjury" statement. I incorrectly assumed that my full legal name was required for filing and legal purposes and I did not realize that this was the way it would appear on the ballot. I am not blaming anyone for the misunderstanding and I accept full responsibility for not asking for further clarification. I spoke with Mr. Tom Walker, Chairman of the Rutherford County Election Commission, and he stated he has no problem with modifying my first name on the ballot. However, he said the decision rests with the State Election Commission.

In closing, I would like to point out that this is not a "name change" and therefore would violate no state laws regarding name changes. It is still my name, just a different variation.

Thank you for your consideration regarding this very important ballot issue.

Sincerely,



Rick Womick
cc: State Senator Bill Ketron

RECEIVED
2010 AUG -3 AM 10:41
SECRETARY OF STATE
ELECTIONS